

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: )  
JENNIFER P. NIGHTINGALE ) Case No. 22-22158 GLT  
)  
) Chapter 13  
Debtor(s). )  
X Related to Docket No. 34

**ORDER OF COURT**  
(Check Boxes That Apply)

- ☒ Confirming Plan on Final Basis ☐ Chapter 13 Plan dated:  
☐ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:  
On Interim Basis Solely as Adequate Protection 2-27-23

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$2415** effective **12/22**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

**1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:***

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be **\$3,321**, beginning **6/23**. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least months. This statement

of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

**PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.**

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor \_\_\_\_\_ shall be paid monthly payments of \$ \_\_\_\_\_ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- IRS CL.#8
  - PA Department of Revenue CL.#1 (as unsecured as filed)
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☒ K. Additional Terms and Conditions:
  - All priority claims to be paid without interest.
  - The estimated pool of funds available to be paid to non-specially classified general unsecured creditors and estimated percentage dividend are revised to \$24,000.

*\*All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

**2. Deadlines. The following deadlines are hereby established and apply to this case:**

**A. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**B. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

**C. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**D. Filing Amended Plans or Other Stipulation.** Within fourteen (14) days after the

Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

**3. Additional Provisions. The following additional provisions apply in this case:**

**A.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**B.** The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

**G.** The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

**H.** The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: May 30, 2023

  
\_\_\_\_\_  
Gregory J. Taddonio, Chief Judge  
United States Bankruptcy Court

cc: All Parties in Interest to be served by Clerk

In re:  
Jennifer P. Nightingale  
Debtor

Case No. 22-22158-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: May 30, 2023

User: auto  
Form ID: pdf900

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Total Noticed: 59

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 01, 2023:

Recip ID	Recipient Name and Address
db	+ Jennifer P. Nightingale, 2756 Drake Court, Gibsonia, PA 15044-8374
15543100	+ Advantage Credit Counseling Service, River Park Commons, 2403 Sidney Street, Ste 400, Pittsburgh, PA 15203-2181
15543110	+ District Justice Tom Swan, Mag. Dist. No. 05-3-04, 2060 Saxonburg Blvd, Gibsonia, PA 15044-7953
15543119	+ Mychal Rutkowski, Esq., Patenaude & Felix A.P.C., 2400 Ansys Drive, Ste 402-B, Canonsburg, PA 15317-0403
15560349	UPMC HEALTH SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123
15560353	UPMC PHYSICIAN SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123

TOTAL: 6

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	May 31 2023 04:28:42	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpeoples@grblaw.com	May 31 2023 04:10:00	Peoples Natural Gas Company LLC, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219, UNITED STATES 15219-1753
15543101	+ Email/PDF: bncnotices@becket-lee.com	May 31 2023 04:28:50	American Express, PO Box 981537, El Paso, TX 79998-1537
15554060	Email/PDF: bncnotices@becket-lee.com	May 31 2023 04:28:46	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15543102	+ Email/Text: bnc-applied@quantum3group.com	May 31 2023 04:11:00	Applied Bank, PO Box 70165, Philadelphia, PA 19176-0165
15543132	Email/Text: cfcbackoffice@contfinco.com	May 31 2023 04:10:00	TBOM/Continental Finance, 4550 New Linden Hill Road, #400, Wilmington, DE 19808
15543103	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	May 31 2023 04:18:17	Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
15548550	Email/PDF: AIS.cocard.ebn@aisinfo.com	May 31 2023 04:28:51	Capital One N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15550291	Email/Text: bnc-quantum@quantum3group.com	May 31 2023 04:10:00	Citibank, N.A., c/o Quantum3 Group LLC, PO Box 280, Kirkland, WA 98083-0280
15543104	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 31 2023 04:10:00	Comenity Bank/DSW Visa, PO Box 182789, Columbus, OH 43218-2789
15543105	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 31 2023 04:10:00	Comenity Bank/Pier 1, Attn: Bankruptcy Dept, PO Box 182125, Columbus, OH 43218-2125
15543106	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 31 2023 04:10:00	Comenity Bank/Victorias Secret, Bankruptcy Department, PO Box 182125, Columbus, OH 43218-2125
15543107	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 31 2023 04:10:00	Comenity Bank/Wayfair, PO Box 182789,

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			Columbus, OH 43218-2789
15543108	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 31 2023 04:10:00	Comenity Bank/Williams Sonoma, PO Box 182789, Columbus, OH 43218-2789
15556546	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Country Door, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15551270	+ Email/Text: clientservices@credit-control.com	May 31 2023 04:10:00	Credit Control LLC, 5757 Phantom Drive, Ste 330, Hazelwood, MO 63042-2429
15551271	Email/Text: mrdiscen@discover.com	May 31 2023 04:10:00	Discover, PO Box 30943, Salt Lake City, UT 84130
15560002	+ Email/Text: jdryer@bernsteinlaw.com	May 31 2023 04:10:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
15543112	+ Email/Text: sbse.cio.bnc.mail@irs.gov	May 31 2023 04:10:00	IRS, PO Box 7346, Philadelphia, PA 19101-7346
15543113	+ Email/PDF: Citi.BNC.Correspondence@citi.com	May 31 2023 04:17:28	Macy's/DSNB, PO Box 6789, Sioux Falls, SD 57117-6789
15559665	+ Email/PDF: ais.midfirst.ebn@aisinfo.com	May 31 2023 04:18:14	MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
15543114	+ Email/Text: bankruptcydpt@mcmcg.com	May 31 2023 04:10:00	Midland Credit Management Inc., PO Box 301030, Los Angeles, CA 90030-1030
15553083	+ Email/Text: bankruptcydpt@mcmcg.com	May 31 2023 04:10:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15543115	+ Email/PDF: ais.midfirst.ebn@aisinfo.com	May 31 2023 04:28:46	Midland Mortgage, PO Box 26648, Oklahoma City, OK 73126-0648
15543116	+ Email/PDF: ais.midfirst.ebn@aisinfo.com	May 31 2023 04:18:32	Midland Mortgage/Midfirst, 999 NW Grand Blvd, Oklahoma City, OK 73118-6051
15543117	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Midnight Velvet, 1112 7th Ave, Monroe, WI 53566-1364
15556543	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Midnight Velvet, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15556545	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Monroe & Main, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15543118	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Monroe and Main, 1112 7th Ave, Monroe, WI 53566-1364
15560369	+ Email/Text: JCAP_BNC_Notices@jcap.com	May 31 2023 04:11:00	NORDSTROM, INC., Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud MN 56302-7999
15543120	+ Email/Text: bnc@nordstrom.com	May 31 2023 04:10:42	Nordstrom/TD Bank USA, 13531 E. Caley Ave, Englewood, CO 80111-6504
15543122	+ Email/Text: bncnotifications@pheaa.org	May 31 2023 04:10:00	PHEAA, PO Box 60610, Harrisburg, PA 17106-0610
15543123	Email/Text: Bankruptcy.Notices@pnc.com	May 31 2023 04:10:00	PNC Bank, PO Box 5570, Cleveland, OH 44101
15543124	Email/Text: Bankruptcy.Notices@pnc.com	May 31 2023 04:10:00	PNC Bank, PO Box 5580, Cleveland, OH 44101
15558276	Email/Text: Bankruptcy.Notices@pnc.com	May 31 2023 04:10:00	PNC Bank, National Association, PO BOX 94982, Cleveland, OH 44101
15543121	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	May 31 2023 04:10:00	Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15558735	Email/Text: bnc-quantum@quantum3group.com	May 31 2023 04:10:00	Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
15543125	+ Email/Text: ngisupport@radiusgs.com		

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User: auto

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		May 31 2023 04:10:00	Radius Global Solutions LLC, 500 North Franklin Turnpike, Ste 315, Mail Code 747, Ramsey, NJ 07446-1160
15543127	+ Email/PDF: clerical@simmassociates.com	May 31 2023 04:18:33	SIMM Associates, Inc., PO Box 7526, Newark, DE 19714-7526
15543128	+ Email/PDF: gecsed@recoverycorp.com	May 31 2023 04:28:45	SYNCB/Belk, PO Box 965028, Orlando, FL 32896-5028
15543129	+ Email/PDF: gecsed@recoverycorp.com	May 31 2023 04:18:04	SYNCB/Gap, PO Box 965005, Orlando, FL 32896-5005
15543130	+ Email/PDF: gecsed@recoverycorp.com	May 31 2023 04:18:00	SYNCB/PPC, PO Box 965005, Orlando, FL 32896-5005
15543131	+ Email/PDF: gecsed@recoverycorp.com	May 31 2023 04:28:41	SYNCB/PPMC, PO Box 965005, Orlando, FL 32896-5005
15543126	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Seventh Ave, 1112 7th Ave, Monroe, WI 53566-1364
15556544	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Seventh Avenue, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15559992	+ Email/PDF: gecsed@recoverycorp.com	May 31 2023 04:28:42	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15543291	+ Email/PDF: gecsed@recoverycorp.com	May 31 2023 04:28:42	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15543133	+ Email/Text: bncmail@w-legal.com	May 31 2023 04:10:00	TD Bank/Target Credit, PO Box 673, Minneapolis, MN 55440-0673
15543134	+ Email/Text: bankruptcy@sccompanies.com	May 31 2023 04:11:00	Through the Country Door, Attn: Bankruptcy Dept, PO Box 2830, Monroe, WI 53566-8030
15560555	Email/Text: RPSBankruptcyBNCNotification@usbank.com	May 31 2023 04:10:00	U.S. Bank NA dba Elan Financial Services, Bankruptcy Department, PO Box 108, Saint Louis MO 63166-0108
15560349	Email/Text: BNCnotices@dcmservices.com	May 31 2023 04:10:00	UPMC HEALTH SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123
15551273	^ MEBN	May 31 2023 04:08:53	UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
15560353	Email/Text: BNCnotices@dcmservices.com	May 31 2023 04:10:00	UPMC PHYSICIAN SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123
15543111	Email/Text: RPSBankruptcyBNCNotification@usbank.com	May 31 2023 04:10:00	Elan Financial Services, PO Box 108, Saint Louis, MO 63166
15543623	Email/PDF: OGCRegionIIIBankruptcy@hud.gov	May 31 2023 04:18:00	U.S. Department of Housing and Urban Development, 100 Penn Square East, 11th Floor, Philadelphia, PA 19107-3380

TOTAL: 55

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MIDFIRST BANK
15543109		Credit Control LLC
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
15543552	*	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, Pa. 17128-0946
15551272	*+	U.S. Dept of Housing & Urban Development, 100 Penn Square East, 11th Floor, Philadelphia, PA 19107-3325

TOTAL: 2 Undeliverable, 3 Duplicate, 0 Out of date forwarding address



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User: auto

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## NOTICE CERTIFICATION

I, **Gustava Winters**, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 01, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 30, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor MIDFIRST BANK bnicholas@kmlawgroup.com
Jeffrey Hunt	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com;kebeck@ecf.courtdrive.com
Michael C. Eisen	on behalf of Debtor Jennifer P. Nightingale attorneyeisen@yahoo.com aarin96@hotmail.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 6